

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.02.2020

CORAM

THE HON'BLE MR. JUSTICE P.D. AUDIKESAVALU

W.P. No. 35756 of 2019
and
W.M.P. No. 36662 of 2019

S. Nallathambi

... Petitioner

-vs-

1. The District Collector,
Tiruppur,
Tiruppur District.
2. The Chairman,
Tamilnadu Electricity Board,
800, Anna Salai,
Chennai.
3. The Superintending Engineer,
Tower Line Constructions,
Dr.Subbarayan Road,
Tatabad, Coimbatore - 641 012.
4. The Executive Engineer,
Tower Line Constructions,
Perundurai,
Erode District.

... Respondents

Prayer:- Writ Petition filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the respondents from erecting Tower No.41/O for stinging of 400 KV High Tension Transmission Lines in the Petitioner's patta land in S.F. No. 1/4, Kadaiyur Village, Kangayam Taluk, Tiruppur District till the compliance of Section 164 of the Electricity Act, 2003 r/w Sections 10 and 16 of the Indian Telegraphs Act, 1885, by considering the representations dated 07.08.2019 and 08.11.2019.

For Petitioner : Mr. N. Manoharan

For Respondents: Mr. Annai Ezhil
Government Advocate for R1

Mr. Abdul Saleem, Standing Counsel
for R2 to R4.

O R D E R

The Writ Petition has been filed to forbear the Respondents from erecting Tower No. 41/O for stinging of 400 KV High Tension Transmission Lines in the patta land belonging to the Petitioner in S.F. No. 1/4, Kadaiyur Village, Kangayam Taluk, Tiruppur District till the compliance of Section 164 of the Electricity Act, 2003, r/w Sections 10 and 16 of the Indian Telegraphs Act, 1885, by considering the representations dated 07.08.2019 and 08.11.2019 made by the Petitioner.

2. It is informed by the Learned Counsel appearing for the Respondents submits that in pursuance of the order dated 03.01.2020 passed by this Court, a sum of Rs.39,324/- has been paid to the Petitioner as compensation by disposing the representations dated 07.08.2019 and 08.11.2019 made by the Petitioner, without prejudice to the rights of the Petitioner to work out his remedies for enhancement of compensation before the proper forum in the manner recognized by law. As a consequence of such payment made, the Respondents shall be entitled to proceed with the erection of the electric tower in the property of the Petitioner.

3. As nothing remains for consideration in this Writ Petition, learned counsel for the Petitioner seeks permission of this Court to withdraw the Writ Petition and he has also made an endorsement to that effect, which is recorded.

4. Accordingly, the Writ Petition is dismissed as withdrawn with the aforesaid clarification. Consequently, the connected the Miscellaneous Petition is closed. No costs.

Sd/-
Assistant Registrar (CS-III)

//True Copy//

Sub Assistant Registrar

kv/rmk

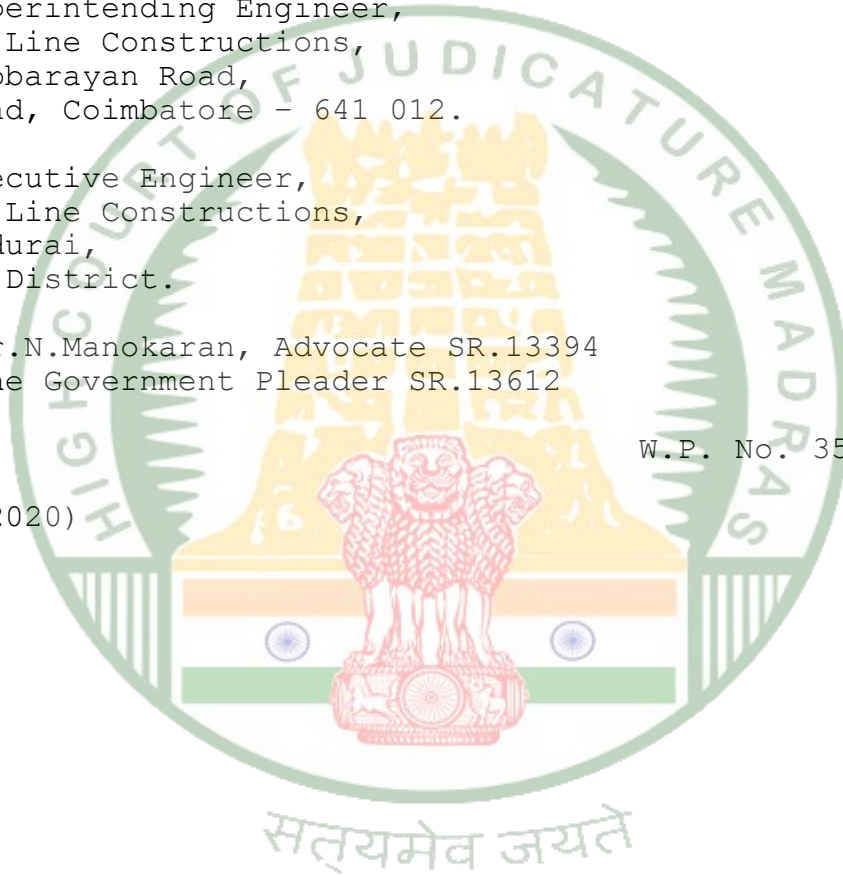
To

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+1cc to Mr.N.Manokaran, Advocate SR.13394
+1cc to the Government Pleader SR.13612

W.P. No. 35756 of 2019

LN(CO)
CB(10/06/2020)



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